

REMARKS

Request for Suspension of Action

By separate paper filed herewith Applicant has requested suspension of action in this case pursuant to 37 CFR 1.103(c), for a period of three (3) months.

Applicant gratefully acknowledges the informal telephone interview granted by the Examiner with Applicant's undersigned attorney during September 2003. In as much as that interview produced no agreement between the Examiner and Applicant's attorney, Applicant hopes to use the period of suspension to continue the interview and reach agreement with the Examiner, and thus advance prosecution of the case. Upon reaching of an agreement, Applicant proposes to file a supplemental response and a formal summary of the interview. Applicant submits this response as a proper submission under 37 CFR 1.114.

The Rejection of Claims Under 35 U.S.C. §§ 102 and 103

At paragraphs 5 - 12 of the Detailed Action the Examiner has rejected Claims 1 – 10 under 35 USC §§ 102(b) and 103. Applicant believes that the rewriting of claims 1, 3, 5, and 8 has better distinguished the claims from the prior art, and that the claims are presented in allowable form. Applicant respectfully requests reconsideration and withdrawal of the rejections, and allowance of the claims.

CONCLUSION

Applicant believes that he has fully responded to the Examiner's concerns and that the claims are now in condition for immediate allowance. Applicant respectfully requests reconsideration and immediate allowance of the claims.

Please charge any deficiency or credit any overpayment in any fee required for this response to Deposit Account No. 02-4270.

Applicant requests that any questions concerning this matter be directed to the undersigned at (212) 895-2906.

I certify that this paper, together with any documents referred to as attached or enclosed, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, Washington, DC 20231.

Respectfully submitted,

Dated: October 7, 2003



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